

Reference: CC Docket No. 02-6

USAC/FCC,

I am writing to express my concern regarding the USAC's recommendation that Video on-demand servers be listed as "ineligible servers" on the 2009 Eligible Services List and ask that they continue to be approved servers, as they have for the past several years, serving as a conduit for information in K-12 education.

Video on-demand servers, such as those from VBrick Systems, have been on the Eligible Products database for several years and utilized by K-12 schools and libraries nationwide under the E-Rate program to transport information to individual classrooms or public areas of a library per FCC ESL guidelines. Further, these servers do not provide end-user physical content; they simply act as a conduit for information per ESL and FCC guidelines. This is in contrast to an actual file server which is indeed a source of content where students can physically "download" assets to their local hard drives. Video on-demand servers, such as those from VBrick Systems and other manufacturers including Cisco, Library Video Company, Tandberg, Polycom and other leading educational equipment providers "stream" assets in a temporary manner that never physically moves an asset from the server, thus complying with the conduit requirement established by the FCC.

VBrick has worked hand in hand with the USAC to verify that the operation of these servers meet the criteria established by the FCC and subsequently defined in the ESL, further evidenced by the listing of these servers as approved on the Eligible Products Database for the past several years, with conditional eligibility being met as defined in the ESL.

Video on-demand servers are critical components in expanding data access within a school or library such as to individual classrooms within a school. This is in alignment with the FCC Second Report and Order (FCC 03-101, released April 30, 2003), where the Federal Communications Commission amended its rules to clarify the meaning of educational purposes as follows:

Activities that are integral, immediate, and proximate to the education of students, or in the case of libraries, integral, immediate, and proximate to the provision of library services to library patrons, qualify as "educational purposes." Activities that occur on library or school property are presumed to be integral, immediate, and proximate to the education of students or the provision of library services to library patrons.

The delivery of on-demand education is certainly one that meets the spirit of the order in that it is an integral, immediate and proximate activity that provides a learning method which reinforces the proven principal of repetition and retention in K-12 students.

Traditional "video conferencing" equipment has long been an approved product under the FCC rules and ESL in delivering education. The wave of the future for education includes both interactive video conferencing as well as on-demand learning delivery as evidenced in classrooms across the country and around the world. Please continue to support the proven impact of video in the classroom by reinstating Video on-demand servers on the 2009 Eligible Services List.

Regards,

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